

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES SHELTON

*Plaintiff,*

v.

COMMITTEE FOR POLICE OFFICERS  
DEFENSE PAC

*Defendant*

Case No. 2:24-cv-04679-JP

**STIPULATION FOR AN EXTENSION OF TIME TO RESPOND TO  
COMPLAINT**

**COMES NOW** Plaintiff James Shelton and Defendant Committee for Police Officers Defense PAC (“CPOD”), by and through their undersigned counsel, and hereby respectfully file this motion for a 30 day extension of time to respond to the class action complaint filed at Doc. 1. The current deadline is October 25, 2024. (Doc. 10.) Defendant seeks until November 24, 2024 to answer or otherwise respond to the Complaint.

Defendant conferred with counsel for Plaintiff in this matter and Plaintiff does not oppose this request for an extension of time.

**STATEMENT OF FACTS AND PROCEDURAL POSTURE**

1. On September 5, 2024, Plaintiff James Shelton filed a class action complaint against Defendant CPOD. (Doc. 1.)
2. On October 4, 2024, Plaintiff moved for default which was set aside by the Court upon motion by Defendant on October 8. *See* (Docs. 4, 7, 10.) The

Court's October 8 order extended Defendant's deadline to answer or otherwise respond to the complaint to October 25, 2024. (Doc. 10.)

3. Defendant decided to explore a change of counsel and retained the Bernhoft Law Firm to represent it in this matter given its expertise in defending TCPA class actions.
4. On October 21, 2024, Attorney Patrick Kane, Esq., *pro hac vice* pending, wrote to Plaintiffs' counsel informing them that he had been retained to represent Defendant, thereby relieving Defendant's prior counsel of duty. Attorney Kane requested a 30-day extension from the October 25 deadline to answer or otherwise respond to the complaint. A request which Plaintiff's counsel agreed to.
5. On October 23, 2024, CPOD engaged Duane Morris LLP to serve as local counsel and file this motion while Attorney Kane awaits *pro hac vice* admission, a motion for which will be filed promptly.
6. This request for an extension of time is made for good cause and is not intended to cause undue delay. *See* Fed R. Civ. P. 6(b).
7. This request for an extension of time is necessary for several reasons. First, Attorney Kane and Duane Morris were retained by Defendant to relieve Defendant's current Counsel of duty only days ago. As new attorneys to this case, Attorney Kane and Duane Morris need time to adequately review the class action complaint and respond.

**WHEREFORE**, for all the above reasons, the parties hereby stipulate that

Defendant shall have thirty days from October 25, 2024 to answer or otherwise respond to Plaintiff's class action complaint.

Respectfully submitted on October 24, 2024.

**PERRONG LAW, LLC**

/s/ Andrew Roman Perrong

Andrew Roman Perrong  
2657 Mt. Carmel Ave.  
Glenside, PA 19038  
Tel.: (215) 225-5529  
Fax: (888) 329-0305  
*Attorney for Plaintiff*

**DUANE MORRIS LLP**

/s/ Daniel R. Walworth

Daniel R. Walworth (PA #204968)  
Aleksander W. Smolij (PA #329521)  
30 South 17th Street  
Philadelphia, PA 19103  
Tel.: (215) 979-1194  
Fax: (215) 405-2917  
dwalworth@duanemorris.com  
awsmolij@duanemorris.com

**BERNHOF T LAW FIRM, S.C.**

/s/ Patrick Kane

Patrick Kane  
*Pro Hac Vice* forthcoming  
Texas Bar No. 24115685

1710 W. 6th Street  
Austin, TX 78703  
(512) 582-2100 telephone  
(512) 373-3159 facsimile  
ptkane@bernhoftlaw.com

So **ORDERED** this \_\_\_\_ day of October, 2024.

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**JOHN R. PADOVA, J.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 24, 2024, a true and accurate copy of the foregoing was filed with the Court using the Clerk of Court's electronic filing system, which by its operation will send notice of this filing to all parties that have entered an appearance in this matter.

/s/Aleksander W. Smolij  
Aleksander W. Smolij